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15 UNITED STATES DISTRICT COURT  
16 CENTRAL DISTRICT OF CALIFORNIA

17 UNIVERSAL CITY STUDIOS, INC.,  
18 a corporation,

19 Plaintiff,

20 vs.

21 RKO GENERAL, INC., a corporation,  
22 DINO DeLAURENTIIS CORPORATION, a  
23 corporation, and RICHARD COOPER,

24 Defendants.

25 RKO GENERAL, INC., a corporation,

26 Defendant and Counter-  
27 Claimant,

28 vs.

29 UNIVERSAL CITY STUDIOS, INC., a  
30 corporation,

31 Plaintiff and Counter-  
32 Defendant.

NO. CV 75-3526 R

REPLY OF PLAINTIFF  
UNIVERSAL CITY STUDIOS,  
INC. TO COUNTERCLAIM  
OF RKO GENERAL, INC.

33 Plaintiff and counter-defendant UNIVERSAL CITY  
34 STUDIOS, INC. ("counter-defendant") in reply to Counterclaim  
35 of defendant and counter-claimant RKO GENERAL, INC. ("RKO")  
36 admits, denies and alleges as follows:

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2                   REPLY TO FIRST COUNT

3           1. Answer Paragraph 1, counter-defendant admits  
4 the allegations thereof, but denies the claims of copyright  
5 infringement and unfair competition thereof.

6           2. Answering Paragraph 2, counter-defendant admits  
7 the allegations thereof.

8           3. Answering Paragraph 3, counter-defendant admits  
9 that Exhibit "1" is a true and correct copy of United States  
10 Certificate of Copyright Registration No. L 3794, and that  
11 Exhibit "2" is a true and correct copy of Certificate of  
12 Registration of Claim to Renewal Copyright No. R 267274.  
13 Except as herein specifically admitted, counter-defendant  
14 denies each and every allegation thereof.

15           4. Answering Paragraph 4, counter-defendant  
16 alleges that it has announced in the press and in these pro-  
17 ceedings that it plans and intends to produce, sell, distribute  
18 and exhibit throughout the world a motion picture photoplay  
19 based in part upon the novel "KING KONG" and the Mystery  
20 Magazine serialization entitled "KING KONG" featuring the  
21 character King Kong and utilizing the name "KING KONG" as  
22 part of the title thereof, and further alleges that it has  
23 the legal right to so do. Except as specifically alleged  
24 herein, counter-defendant denies each and every allegation  
25 thereof.

26           5. Answering Paragraph 5, counter-defendant  
27 denies each and every allegation thereof.

28                   REPLY TO SECOND COUNT

29           6. Answering Paragraph 6, counter-defendant hereby  
30 incorporates by reference all of the denials, allegations  
31 and admissions as set forth in its answers to Paragraphs 1  
32 through 5 above, as though the same were fully set forth herein.

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2           7. Answering Paragraph 7, counter-defendant is  
3 informed and believes and on that ground alleges that RKO  
4 has purported to enter into an agreement with DINO DeLAURENTIIS  
5 CORPORATION, pursuant to which RKO purportedly granted to said  
6 corporation the exclusive right to produce a motion picture  
7 photoplay based upon RKO's motion picture photoplay entitled  
8 "KING KONG". Except as otherwise admitted or alleged herein,  
9 counter-defendant denies each and every allegation thereof,  
10 and affirmatively alleges that any such purported agreement  
11 between RKO and DINO DeLAURENTIIS CORPORATION is invalid and  
12 unenforceable insofar as it or any of its terms purports to  
13 prevent or prohibit counter-defendant from pursuing its  
14 plans and intentions as set forth in its Complaint on file  
15 herein.

16           8. Answering Paragraph 8, counter-defendant denies  
17 each and every allegation thereof and specifically denies that  
18 RKO has been damaged in the amount of \$5,000,000, or in any  
19 sum whatsoever, or at all.

20           9. Answering Paragraph 9, counter-defendant denies  
21 each and every allegation thereof.

22           10. Answering Paragraph 10, counter-defendant denies  
23 each and every allegation thereof.

24

25           WHEREFORE, counter-defendant UNIVERSAL CITY STUDIOS,  
26 INC. prays for judgment against counter-claimant RKO GENERAL,  
27 INC., as follows:

28           1. For an Order dismissing the Counterclaim and  
29 ordering that counter-claimant take nothing thereby;

30           2. For costs of suit, including reasonable  
31 attorneys' fees; and

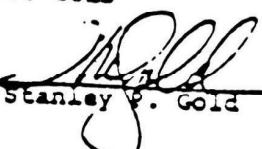
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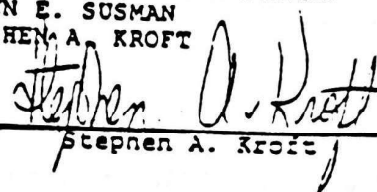
1 3. For such other and further relief as the  
2 Court deems just and proper.  
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4 DATED: December 16, 1975.  
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8 STANLEY P. GOLD

9 By   
10 Stanley P. Gold

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14 By   
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17 Counter-Defendant UNIVERSAL  
18 CITY STUDIOS, INC.  
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